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ABSTRACT

This guide was designed to assist in the assessment of the level of implementation of Washington State's anti-sex discrimination legislation in educational programs and activities. The monitoring guide contains two major sections: a monitoring standards check list and an on-site review packet. The check list provides an overview of the specific program areas addressed in the State statute and a self-evaluation procedure for school districts. The on-site review packet contains processes and instruments that can be used to assess compliance with sex discrimination legislation within the program areas of counseling and guidance, physical education, athletics, extracurricular activities, vocational education, and employment and instructional materials and practices. The State of Washington law prohibiting sex discrimination and a number of policy statements are appended. (MK)

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Dr. Frank B. Brouillet
State Superintendent of Public Instruction
Old Capitol Building
Olympia, Washington 98504

CHAPTER 28A.85 RCW MONITORING GUIDE

Washington State's Anti-Sex Discrimination Legislation

Mona H. Bailey
Assistant Superintendent
Superintendent of Public Instruction

Warren H. Burton
Director
Office for Equity Education

Gene Canque Liddell
Program Administrator
Office for Equity Education

Jill M. Darby
Typist

UD021398

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NATIONAL INSTITUTE OF EDUCATION

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TABLE OF CONTENTS

INTRODUCTION ii

OVERVIEW 1

Background
Contents
Monitoring Flow Chart

MONITORING STANDARDS: *WAC 392-190-005 through WAC 392-200-020* 5

Check-List
Internal Assessment Items

ON-SITE REVIEW PACKET: DISCUSSION GUIDELINES 19

Counseling and Guidance Services, Student Services, Course Offerings
Physical Education, Athletics and Extracurricular Activities
Vocational Educaton
Employment
Instructional Materials, Textbooks and Instructional Practices
District Action Plan

SUPPLEMENTARY INFORMATION 45

House Bill 413
House Bill 413 Regulations: WAC 392-190-005 through WAC 392-200-020
State Board of Education Equal Educational Opportunity Policy
Bulletin Number 4-78: Compliance Requirements RCW 28A.85
Complaint/Appeal Procedure -- RCW 28A.85
Educational Service District - Map - Title IX/RCW 28A.85 RCW Coordinators

INTRODUCTION

This Monitoring Guide is designed to assess the level of implementation of the provisions of Chapter 28A.85 RCW, Washington State's anti-sex discrimination legislation. This 1975 state statute prohibits discrimination on the basis of sex in regulations implementing Title IX of the Education Amendments assisted education programs and activities.

The Office of the Superintendent of Public Instruction, Washington State was among the first of the eleven state education agencies to implement rules and regulations of a state statute prohibiting discrimination on the basis of sex. State Superintendent Frank B. Brouillet signed documentation to this effect on May, 1976.

The Office of Equity Education, Superintendent of Public Instruction has the responsibility to review compliance with Chapter 28A.85 in all educational programs and activities. Staff in this section of the state education agency have been providing technical assistance to the 300 local school districts in the state. In addition, assistance has been available to personnel at pre-school, adult education, community education and vocational-technical programs.

In May, 1979 the Washington State Legislature mandated the monitoring of the implementation of the provisions of Chapter 28A.85 RCW. This Monitoring Guide was developed as a result of the Pre-Monitoring Project. The procedure for monitoring has been reviewed and critiqued by representatives of local school districts, Educational Service Districts, state agency staff, and other specialists in educational equity monitoring. Special acknowledgements are appropriate to Beth Voorhees Wilke, former Program Administrator, Equity Education for her state-wide leadership role. State education equity personnel in various states, particularly Oregon and California were helpful in this monitoring process.

OVERVIEW

BACKGROUND:

Recognizing that sex discrimination in the public schools was depriving the State of Washington of the talents of nearly half of its population, the Superintendent of Public Instruction in October, 1973, created a Task Force on Women and Girls in Education, its membership and resource persons representative of all segments of educational personnel. The State Superintendent charged the Task Force with responsibility to prepare a report with recommendations for change in law, policy, procedure and programs to achieve the elimination of sex discrimination in the public school system, said report to be submitted to the Superintendent of Public Instruction and the State Board of Education by October, 1974.

The Task Force Study confirmed that the existence of sex discrimination in education is generally known and that change is imperative. Recommendations to the State Board of Education, the Superintendent of Public Instruction and local school districts completed this study.

The Office of the Superintendent of Public Instruction has continued to provide leadership, direction and assistance by acting upon several of the recommendations of the Task Force on Girls and Women in Education. Among the actions taken:

1. Policy Relating to Equal Educational Opportunities adopted by State Board of Education on May 14, 1976.

2. Rules and Regulations enacting Chapter 28A.85 RCW developed and signed in May, 1976.

3. Personnel Inventory: A Directory of Candidates - Educational Administration compiled of names of women with administrative credentials.

4. Specific instructional materials policy and criteria for sex bias evaluation: WAC 392-190-055

5. Staff positions in Equal Educational Opportunities Section established for Title IX/RCW 28A.85 compliance.

6. Exemplary educational equity program activities in local school districts supported and disseminated.

7. Pre-Monitoring Project Plans for Chapter 28A.85 implementation in 1978.

BACKGROUND - continued

8. Legislative Mandate to monitor school district programs in May, 1979.

9. Provisions for full time state positions in Equity Education Office.

Washington State continues to have active community support in educational equity issues. The monitoring mandate provides a basis for local school districts to actively conduct on-going internal assessment of their educational programs.

In summary, the Washington State Task Force on Women and Girls in Education concluded that sex discrimination in education is in fact a real problem and that the changes necessary for eradication are substantial: "The degree to which the program can be moved forward will be dependent upon the degree to which those in leadership roles meet the challenge."

CONTENTS:

This Monitoring Guide contains two major sections: (1) Monitoring Standards: Washington Administrative Code (WAC) 392-190-005 through 392-200-020 and (2) On-Site Review Packet reviewing the following program areas: Counseling and Guidance Services; Physical Eudcation, Athletics, Extracurricular Activities; Vocational Education; Employment and Instructional Materials and Practices.

The Monitoring Standards check-list provides school district personnel with an overview of the specific program areas addressed in the state statute. The internal assessment items stating each Section of the WAC mandate directs school districts to assess all required program activities. This process is a self-evaluation procedure. This Monitoring Guide contains a summary of fourteen items requested by the state education agency for external validation.

The second major section contains an On-Site Review Packet. This process and instruments have been field-tested in five school districts in the state. All of the instruments are utilized in face-to-face discussions. State education agency staff under the direction of the Office of Equity Education comprised the on-site review team. These members participated in a two-day training session in preparation for the local district review.

This Monitoring Guide can provide local school districts with an assessment of their level of implementation of the provisions of Chapter 28A.85 RCW. The levels of implementation on the Internal Assessment Check-list are labeled:

PHASE I: PAPER COMPLIANCE
Are district policies stated?
Have policies been adopted by the School Board?
Has a district employee been designated for internal monitoring?
Have procedures for implementation been developed?

PHASE II: GOOD FAITH EFFORTS
Does personnel take active roles in specific activities to overcome educational inequities?
Are all courses sex integrated?
Can staff members articulate their legal and educational responsibilities in educational equity?

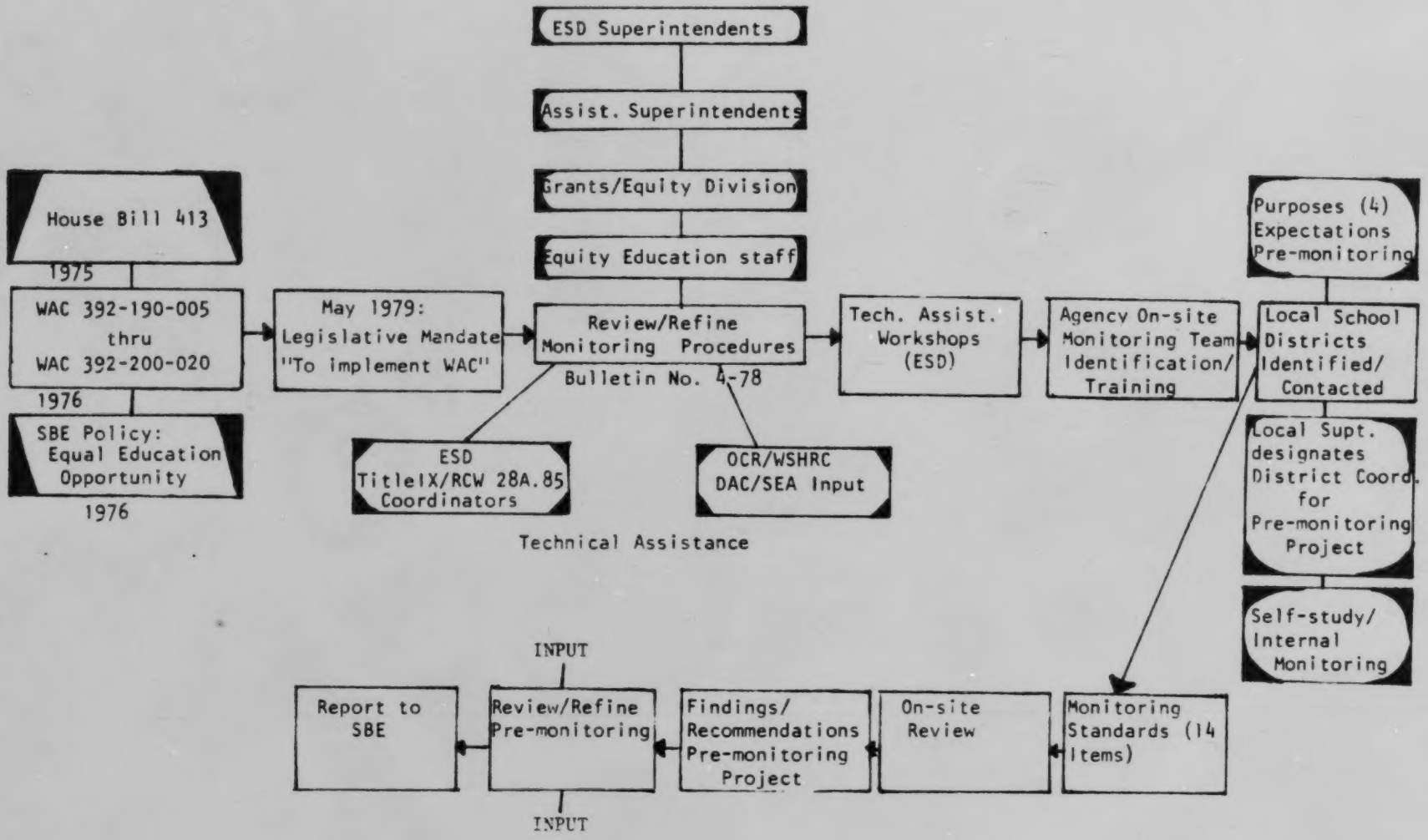
PHASE III: COMPLETE INTEGRATION
District leadership facilitates and supports educational equity on an on-going basis.
Policies, procedures and programs actively implemented in a non-discriminatory manner.
All programs and activities actively enroll a balance of both boys and girls on an on-going basis.

CONTENTS: continued

PHASE III: COMPLETE INTEGRATION - continued
Staff members at all levels provide role models for students: women and men co-existing in administrative, primary, vocational, secondary positions.

The Office of Equity Education, Superintendent of Public Instruction will continue to provide technical assistance to the local school districts in the implementation of the provisions of Chapter 28A.85 RCW. The Monitoring Guide can assist the district in base-line assessment of their programs in meeting the legal and educational mandates of our state anti-sex discrimination law.

MONITORING FLOW CHART
CHAPTER 28A.85 RCW



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INTERNAL ASSESSMENT

Check-List

___	WAC 392-190-005	Purpose--Elimination of Sex Discrimination
___	WAC 392-190-010	Counseling and Guidance Services-- Career Opportunities--Internal Procedures
___	WAC 392-190-015	Counseling and Guidance--Duty of Certificated and Classroom Personnel--Coordination of Effort
___	WAC 392-190-020	Inservice Training--Sex Bias Awareness
___	WAC 392-190-025	Recreational and Athletic Activities--Equal Opportunity--Separate Teams
___	WAC 392-190-030	General--Recreational and Athletic Activities--Equal Opportunity Factors Considered
___	WAC 392-190-035	Recreational and Athletic Activities--Compliance Timetable--Elementary and Secondary Level
___	WAC 392-190-040	Recreational and Athletic Activities--Student Interest--Required Survey Instrument
___	WAC 392-190-045	Recreational and Athletic Activities--Facilities
___	WAC 392-190-050	Course Offerings--Generally--Separate Sessions or Group Permissible
___	WAC 392-190-055	Textbooks and Instructional Materials--Scope--Elimination of Sex Bias--Compliance Timetable
___	WAC 392-190-060	Compliance--Local School District--Designation of Responsible Employee--Notification
___	WAC 392-190-065	Compliance--Complaint Procedure--District Superintendent
___	WAC 392-190-070	Compliance--Appeal Procedure--Local School Board
___	WAC 392-190-075	Compliance--Contested Case--Duty of the Superintendent of Public Instruction
___	WAC 392-190-080	Compliance--Violations--Permissible Sanctions
___	WAC 392-200-005	Purpose--Authority
___	WAC 392-200-010	Public School Employment and Contract Practices--Sex Discrimination
___	WAC 392-200-015	Public School Employment--Affirmative Action Program
___	WAC 392-200-020	Public School Employment--Affirmative Action Program--General

LEVELS OF IMPLEMENTATION

PHASE I *"Paper Compliance"*

PHASE II *"Good Faith Efforts"*

PHASE III *"Complete Integration"*

WAC 392-190-010 COUNSELING AND GUIDANCE -- CAREER OPPORTUNITIES -- INTERNAL PROCEDURES: *No school district shall engage in discrimination against any person on the basis of sex in the counseling or guidance of students in grades K-12.*

Yes	No	
____	____	All materials, orientation programs and counseling techniques are offered on a bias free basis.
____	____	Students are encouraged to explore a wide range of curricular subjects and activities.
____	____	Testing and other materials used for appraising or counseling students are free from sex bias.

Internal procedures regarding appraisal of counseling materials have been developed and used for ensuring non-discrimination on the basis of sex for:

____	____	Testing and appraisal instruments
____	____	Career and vocational guidance materials
____	____	Work study programs and opportunities
____	____	Educational scheduling/placement
____	____	Classes containing a substantially disproportionate number of individuals of one sex have been identified and immediate action has been taken as necessary to assure non-sex discrimination.

Work/Study Program: The district can show evidence of...

____	____	Assurance of non-discrimination from employers of students.
____	____	Procedures for student jobs posted and/or referrals made are clearly defined and non-discriminatory.
____	____	Appropriate records of job placement, referrals and outcomes, and related work opportunities.

WAC 392-190-015 COUNSELING AND GUIDANCE -- DUTY OF CERTIFICATED AND CLASSROOM PERSONNEL -- COORDINATION OF EFFORT: *All certificated and classroom personnel shall encourage students to explore and develop their individual interests in career and vocational technical programs and employment opportunities without regard to sex, including reasonable efforts encouraging students to consider and explore "non-traditional" occupations for men and women.*

Yes	No	
____	____	Educational Staff Associates (ESA) Counselor or appropriate person has been designated by the district Superintendent to coordinate compliance in counseling and guidance services.
____	____	Procedures have been developed for informing certificated and classroom staff of requirements to encourage students to explore and develop individual interests and aptitudes.
____	____	Plans have been developed to inform and encourage students to explore non-traditional careers and occupations.

WAC 392-190-020 IN-SERVICE TRAINING -- SEX BIAS AWARENESS: *Each school district should include sex bias awareness and sex bias elimination training sessions in such in-service training programs as are conducted or provided for certificated and/or classroom personnel.*

Yes	No	
____	____	The district has included sex bias awareness and sex bias elimination training sessions for certificated and classroom personnel.

WAC 392-190-025 RECREATIONAL AND ATHLETIC ACTIVITIES -- EQUAL OPPORTUNITY -- SEPARATE TEAMS: *No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, club or intramural athletics or recreational activity offered by a school district and no school district shall provide any such athletics or recreational activity separately on such basis.*

Yes	No	
____	____	Sports teams and recreational activities offered by the district are equally open to participation by qualified members of both sexes.
____	____	Sports teams or recreational activities are offered as separate teams for members of each sex utilizing the following substantial equality factors justifying:
____	____	(a) the relationship between the skill and compensation of coaching staffs;
____	____	(b) the size of their budgets;
____	____	(c) the quality of competition and game schedules;
____	____	(d) uniforms;
____	____	(e) equipment and facilities; and
____	____	(f) sufficient numbers of participants to warrant separate teams
____	____	(g) other factors (please list)

_____

_____

WAC 392-190-030 GENERAL -- RECREATIONAL AND ATHLETIC ACTIVITIES -- EQUAL OPPORTUNITY FACTORS CONSIDERED: *Each district shall evaluate its recreational and athletic program at least once each year to ensure that equal opportunities are available to members of both sexes with respect to interscholastic, club or intramural athletics which are operated, sponsored, or otherwise provided by the school district.*

Yes	No	
____	____	The district has performed an annual self evaluation to determine the level of effort maintained to ensure equal opportunity to both sexes with respect to interscholastic, club or intramural athletics.

Date of most recent self evaluation:_____

The following factors have been considered in the annual self evaluation:

____	____	whether the selection of sports and levels of competition effectively accomodates the interests and abilities of members of both sexes;
____	____	the provisions of equipment and supplies;
____	____	the scheduling of games and practice times including the use of playfields, courts, gyms, and pools;
____	____	transportation and per diem allowances, if any;
____	____	the opportunity to receive coaching and academic tutoring;
____	____	the assignment and compensation of coaches, tutors, and game officials;
____	____	the provision of medical and training facilities and services including the availability of insurance;
____	____	the provision of housing, laundry, and dining facilities and services, if any; and
____	____	publicity and awards
____	____	other factors (please list)

_____

_____

WAC 392-190-035 RECREATIONAL AND ATHLETIC ACTIVITIES -- COMPLIANCE TIMETABLE -- ELEMENTARY AND SECONDARY LEVEL: *Each school district which operates, sponsors, or otherwise provides inter-scholastic, club or intramural athletics at the elementary school level (K-6) shall provide equal opportunity and encouragement for physical and skill development to all students in the elementary grades consistent with this chapter as expeditiously as possible but in no event later than July 21, 1976.*

Yes	No	
____	____	All elementary recreational and athletic activities are integrated.
____	____	All secondary recreational and athletic activities are offered on a bias-free basis.

WAC 392-190-040 RECREATIONAL AND ATHLETIC ACTIVITIES -- STUDENTS INTEREST -- REQUIRED SURVEY INSTRUMENTS: *The Superintendent of Public Instruction shall develop a survey instrument to assist each school district in the determination of student interest for male/female participation in specific sports.*

Yes	No	
____	____	The district has administered a student survey.
		Date of most recent survey:_____
		Grades surveyed:_____
____	____	The district has utilized the results of the student interest survey in program planning of recreational and athletic activities.

WAC 392-190-045 RECREATIONAL AND ATHLETIC ACTIVITIES -- FACILITIES: *A school district which provides athletic facilities for members of one sex including showers, toilets, and training room facilities for athletic purposes shall provide comparable facilities for members of the opposite sex no later than July 1, 1976.*

Yes No

____ ____ Boys and girls do have equal access to comparable athletic facilities (showers, toilets, training room facilities for athletic purposes).

____ ____ The district has established schedules to facilitate equal access to comparable athletic facilities.

WAC 392-190-050 COURSE OFFERINGS -- GENERALLY -- SEPARATE SESSIONS OR GROUPS PERMISSIBLE: *No school district shall provide any courses or otherwise carry out any of its education programs or activities separately on the basis of sex, or require or refuse participation therein by any of its students on such basis.*

Yes No

____ ____ Procedures have been established to ensure equal access to all courses.

____ ____ Grouping of students in physical education classes and activities is conducted without regard to sex.

____ ____ The objective standards for ability grouping in physical education classes and activities can be demonstrated.

____ ____ Physical education classes in grades 7 through 12 are are separated by sex. If "yes"...

____ District can justify such separation as best method for providing both sexes with equal opportunity to participate in Physical Education classes.

____ District can demonstrate substantial equality between separate classes.

____ ____ Physical eucation classes and activities at the elementary school level (K-6) are in compliance with this section by June 21, 1976.

Date of compliance:_____

WAC 392-190-050 continued

Yes	No	
____	____	Physical education classes and activities at the secondary level (7-12) are in compliance with this section by July 21, 1978.

Date of compliance:_____

WAC 392-190-055 TEXTBOOKS AND INSTRUCTIONAL MATERIALS -- SCOPE -- ELIMINATION OF SEX BIAS -- COMPLIANCE TIMETABLE: *It is the intent of this section to eliminate sex bias in connection with any form of instruction offered by a school district.*

Yes	No	
____	____	District has instructional materials policy and procedures for screening and selection that incorporates the elimination of sex bias and stereotyping.
____	____	Instructional materials committee utilizes appropriate screening devices in selection of new textbooks, instructional materials, references and audio-visual materials ordered after July 1, 1976.
____	____	District has acquired supplemental instructional materials or aids to be used concurrent with existing materials for purposes of counteracting sex bias content.
____	____	Screening criteria has been adopted with the approval of the school district Board of Directors no later than July 1, 1976.

Date of Board approval:_____

WAC 392-190-060 COMPLIANCE -- LOCAL SCHOOL DISTRICT -- DESIGNATION OF RESPONSIBLE EMPLOYEE -- NOTIFICATION: *The superintendent of each school district shall immediately designate at least one employee who shall be responsible directly to the superintendent for monitoring and coordinating the district's compliance with this chapter.*

Yes	No	
____	____	The district has designated an employee who is responsible for monitoring and coordinating compliance with RCW 28A.85.
		Name of designee:_____
		Date of appointment:_____
____	____	Procedures have been developed for internal monitoring procedures.
____	____	The district has annually informed students, parents and employees of name, address and phone number of district designee.
____	____	The district has annually informed its constituents of the appeal procedure set forth in WAC 392-190-065 through -075.

WAC 392-190-065 COMPLIANCE -- COMPLAINT PROCEDURE -- DISTRICT SUPERINTENDENT *Upon receipt of a complaint by a school district in the manner herein described, the employee or employees designated pursuant to WAC 392-190-060 shall investigate the allegations set forth and shall institute such other reasonable procedures to effect a prompt resolution of the complaint.*

Yes	No	
____	____	The district has an appeal/grievance procedure that provides prompt resolution for the complainant.
		____ written complaint form
		____ signed by complaint party
		____ specific acts, conditions, circumstances set forth
____	____	District compliance officer (Superintendent designee) has outlined investigation of complaint procedure.

WAC 392-190-070 COMPLIANCE -- APPEAL PROCEDURE -- LOCAL SCHOOL BOARD: *In the event a complainant remains aggrieved as a result of the action or inaction of the superintendent in resolving a complaint as provided in WAC 392-190-065, said complainant may appeal to the school district board of directors by filing a written notice of appeal with the secretary of the school board on or before the tenth day following (a) response or (b) the expiration of the thirty (30) day response period provided by WAC 392-190-065, whichever occurs first.*

Yes	No	
____	____	The district has made a formal notification to local Board of Directors regarding their responsibilities in the appeal procedures.
____	____	The district has kept records of hearings of complaints (if any).

WAC 392-190-075 COMPLIANCE -- CONTESTED CASE -- DUTY OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION: *In the event a complainant remains aggrieved with the decision of a school district board of directors rendered pursuant of WAC 392-190-070, the complainant may appeal the board's decision to the Superintendent of Public Instruction. Upon the receipt of a notice of appeal filed in compliance with this section, the Superintendent of Public Instruction shall schedule a hearing to commence or or before the fortieth (40) day thereafter.*

Yes	No	
____	____	The Board of Directors have been notified of this procedure.

WAC 392-200-010 PUBLIC SCHOOL EMPLOYMENT AND CONTRACT PRACTICES -- SEX DISCRIMINATION: *No school district shall, on the basis of sex, exclude any person from participation in, deny any person the benefits of, or subject any person to discrimination in employment, recruitment, promotion or advancement, consideration or selection therefor, whether full time or part time, in connection with employment by a school district.*

Yes	No	
____	____	District has policy regarding non-discrimination on the basis of sex in employment.
____	____	District's employment discussions are made in a non-discriminatory manner and does not adversely affect a person's employment opportunities or status on the basis of sex.
____	____	All contracts or collective bargaining agreements are free from provisions which treat employees differently on the basis of sex.
____	____	Applicants who attended an educational institution or entity which admits as students only or predominatly members of one sex are treated in a non-discriminatory manner and not given preferential treatment.

WAC 392-200-015 PUBLIC SCHOOL EMPLOYMENT -- AFFIRMATIVE ACTION PROGRAM: *Each school district shall develop and/or incorporate within any existing affirmative action employment program appropriate provisions which are consistent with the intent of Chapter 28A.85 RCW and such guidelines as are hereafter developed and distributed to each school district by the office of the Superintendent of Public Instruction to eliminate discrimination on the basis of sex, in connection with employment by the school district.*

Yes	No	
____	____	The local board of directors has adopted and implemented an approved affirmative action employment program.

Date of adoption: _____

District's affirmative action employment program included the following provisions respecting discrimination on the basis of sex:

____	____	Maintain credential requirements of all personnel
____	____	Make no differentiation in pay scale

WAC 392-200-015 continued

Yes	No	
___	___	Make no differentiation in the assignment of school duties (except for bona fide occupational qualifications)
___	___	Make no differentiation in conditions of employment including but not limited to, hiring practices, leaves of absences, hours of employment, and assignment of, or pay for, instructional and non-instructional duties.

WAC 392-200-020 PUBLIC SCHOOL EMPLOYMENT--AFFIRMATIVE ACTION PROGRAM--GENERAL: *Notwithstanding the requirement of this chapter respecting discrimination on the basis of sex, each school district shall develop and/or incorporate within any existing affirmative action employment program appropriate provisions to eliminate discrimination on the basis or race, creed, color, national origin, marital status, age, or the presence of any sensory, mental, or physical handicap.*

Yes	No	
___	___	The local affirmative action employment program has been filed with the Office of the Superintendent of Public Instruction.

Date of most recent filing with SPI: _____

CHAPTER 28A.85 RCW MONITORING STANDARDS

Items to be reviewed for external validation:

____ List of district's tests/materials utilized for appraising and counseling students. (WAC 392-190-010)

Name of educational staff associate (ESA) counselor or appropriate person to coordinate compliance in counseling and guidance services. (WAC 392-190-015)_____

____ Counseling and guidance plan for all certificated and classroom personnel in encouraging students to explore and develop their individual interests in career and vocational technical programs without regard to sex. (WAC 392-190-015)

____ District's plan for including sex bias awareness and sex bias elimination in-service training for certificated personnel. (WAC 392-190-020)

____ List of interscholastic, club, intra-mural or recreational activities offered by the district. (WAC 392-190-025)

____ Interscholastic game schedules, budget, coaching staff. (WAC 392-190-025)

____ Results of most recent recreational and athletic program self-evaluation. (WAC 392-190-030)

____ Results of most recent student interest survey related to interscholastic intra-mural and other sports and recreational activities. (WAC 329-190-040)

____ Course description handbook. (WAC 392-190-050)

____ District instructional materials policy and procedures for screening and selection; criteria for elimination of sex bias and stereotyping. (WAC 392-190-055)

____ Copy of public announcement of district compliance officer's name, address and telephone number. (WAC 392-190-060)

____ Copy of district's public announcement of appeal procedure. (WAC 392-190-060)

____ District's appeal/grievance procedure of Chapter 28A.85 RCW. (WAC 392-190-060)

____ District's policy statement regarding non-discrimination of the basis of sex in employment. (WAC 392-200-010)

District's affirmative action employment program (WAC 392-200-015).

Date of most recent affirmative action plan:_____

Date of most recent filing of affirmative action plan with SPI:_____

_____
NAME OF DISTRICT

_____
NAME OF DISTRICT COORDINATOR FOR 28A.85 RCW MONITORING

SEX EQUITY MONITORING: ON-SITE REVIEW

(House Bill 413/Chapter 28A.85 RCW)

C O N T E N T S

INTRODUCTION

GENERAL SCHEDULE

SPECIFIC ASSIGNMENT

MONITORING REMINDERS

INTERVIEWING/RECORDING INSTRUMENTS

- *COUNSELING AND GUIDANCE SERVICES/COURSE OFFERINGS*
- *PHYSICAL EDUCATION, ATHLETICS AND EXTRACURRICULAR ACTIVITIES*
- *VOCATIONAL EDUCATION*
- *EMPLOYMENT*
- *INSTRUCTIONAL MATERIALS, TEXTBOOKS AND INSTRUCTIONAL PRACTICES*

INTRODUCTION

House Bill 413/Chapter 28A.85 RCW is Washington State's legislation prohibiting sex discrimination in grades K-12. The state law was passed in June, 1975; regulations became effective in June, 1976. The Office of the Superintendent of Public Instruction has the responsibility to monitor the compliance of the enacted regulations. In addition, the state education agency provides a variety of on-going technical assistance in the implementation of Chapter 28A.85 RCW.

The on-site review is one aspect of the Monitoring Project designed to assess the implementation of House Bill 413/Chapter 28A.85 RCW. All programs and activities conducted by or in behalf of a school district are subject to these regulations. These activities include, but are not limited to, preschool, adult education, community education and vocational-technical program activities.

On-site review team members will spend one full day at the school district concentrating on assessing program implementation in these five general areas: Counseling and Guidance Services/Course Offerings; Athletics, Physical Education and Extracurricular Activities; Vocational Education; Employment; and Instructional Materials, Textbooks and Instructional Practices.

The objectives of the on-site visitation are:

1. *To provide the opportunity for an accurate assessment of the compliance efforts of the school district*

2. *To expand district staff knowledge of the strategies and activities which contribute to equality of opportunity and support "good faith" implementation of the intent as well as the letter of the law*

3. *To promote districts specific activities in providing educational equality to students and staff.*

ON-SITE REVIEW TEAM

ASSIGNMENTS

_____ _____

DATE SCHOOL DISTRICT

_____: COORDINATOR OF TEAM

_____: COUNSELING & GUIDANCE

_____: PHYSICAL EDUCATION/ATHLETICS/
EXTRA-CURRICULAR ACTIVITIES

_____: VOCATIONAL EDUCATION

_____: EMPLOYMENT

_____: INSTRUCTIONAL MATERIALS
AND PRACTICES

GENERAL SCHEDULE FOR
ON-SITE REVIEW

9:00 - 9:45 a.m.	Entrance Conference (District Office)
10:00 -11:45 a.m.	*On-Site Review of Program Practices
12:00 - 1:00 p.m.	Team Conference/ Lunch
1:15 - 2:45 p.m.	*On-Site Review of Program Practices
3:00 - 3:30 p.m.	Team Conference Preliminary Reports -Findings -Commendations -Recommendations
3:00 - 4:00 p.m.	Exit Conference (District Office)

27

*District Team Coordinator contacts building staff

MONITORING REMINDERS

These are some basic tips to keep in mind when examining local school district programs for compliance with sex equity legislation. If there are any questions that the review team member chooses not to respond to, please refer these to the compliance review coordinator.

1. This compliance review is an official legal proceeding of the Washington State Office of the Superintendent of Public Instruction. It is conducted pursuant to the authority granted to the office in Washington Administrative Code 392-190-005. This provision allows the Superintendent of Public Instruction to monitor compliance of the provisions of the regulations.

2. The main objective is to check local district progress in meeting state regulations and to provide assistance in identifying areas that may need strengthening. Review team members will help the district staff locate resources and materials in program compliance areas. The office is responsible for providing on-going technical assistance in equity education.

3. The role of a review team member is that of a fact finder not a judge. Team members are to use their skills in observation, questioning, interviewing, and listening when reviewing a particular program area. They are then to report their findings to the compliance coordinator. Feel free to draw on your own professional background and expertise in making findings, but keep in mind that the final report will be the responsibility of the Equity Education staff.

4. Where findings show the need for improvement, the office will follow-up and work with the district. However, the success of the effort will also depend on the type of relationship established by the review team. If the district has a negative feeling about the review process, it will be harder to get them to accept the need for change. If they have a positive feeling they will be more willing to act. Review team members will assist in completing the final report by turning in all papers at the end of the on-site visit; on-going input and technical assistance to the local school districts are welcomed.

ADMINISTRATIVE REVIEW

_____
DISTRICT

_____
PROGRAM AREA

_____
DATE

_____
TITLE

The following best describes your perception of the district's compliance with House Bill 413/Chapter 28A.85 RCW:

_____ Full Compliance

_____ Partial Compliance

_____ Non Compliance

COMMENTS:

The areas in the program that have been the easiest to implement compliance have been:

The areas in the program that have been the most difficult to implement compliance have been:

The district's resources in obtaining compliance are:

The most urgent needs in continuing to obtain compliance are:

29

_____
REVIEW TEAM MEMBER

DISTRICT

PROGRAM AREA

DATE

F I N D I N G S:

REVIEW TEAM MEMBER

DISTRICT

PROGRAM AREA

DATE

COMMENDATIONS:

1.

2.

3.

31

REVIEW TEAM MEMBER

DISTRICT

PROGRAM AREA

DATE

RECOMMENDATIONS:

1.

2.

3.

REVIEW TEAM MEMBER

PROGRAM AREA

DISTRICT

DATE

TECHNICAL ASSISTANCE: (requested/suggested)

33

REVIEW TEAM MEMBER

___ ELEMENTARY
___ JUNIOR HIGH
___ SENIOR HIGH

TITLE

DISTRICT

COUNSELING AND GUIDANCE SERVICE, STUDENT SERVICES,
COURSE OFFERINGS

INDICATORS:	YES	NO
Have you participated in sex bias awareness and sex bias elimination training/in-service sessions?	___	___
COMMENTS:		
Have you facilitated any sex bias awareness training or in-service sessions to buildings staff?	___	___
COMMENTS:		
Are all counseling services (academic, career/vocational, personal, test administration) at your school free from sex bias?	___	___
COMMENTS:		
Are resources/materials addressing non-traditional careers for girls and boys available in counseling and guidance service?	___	___
COMMENTS: (example of resource/materials)		
Do you encourage students to utilize these resources/materials addressing non-traditional careers for boys and girls?	___	___
COMMENTS:		
Do you encourage other staff members to utilize bias free materials and resources?	___	___
COMMENTS:		
Do you utilize community resources for encouraging and exploring non-traditional careers for students?	___	___
COMMENTS: (example of community resources)		

COUNSELING AND GUIDANCE SERVICE
-continued-

DISTRICT _____

INDICATORS	YES	NO
Are there any classes in the school that now have a disproportionate enrollment of girls or boys? (80% or more of one sex)	___	___
COMMENTS: (list classes, if any)		
Are there procedures for correcting the imbalance in classes that have disproportionate numbers of boys/girls?	___	___
COMMENTS:		
Are all classes scheduled on the basis of the course description and free from assignment by sex?	___	___
COMMENTS:		
Are there procedures for informing and assisting students in expanding their career options?	___	___
COMMENTS:		
Have course titles and descriptions been examined for sex bias?	___	___
COMMENTS:		
Do staff members take an active role in recruiting female students for courses usually dominated by males?	___	___
.... male students for courses usually predominated by females?	___	___
COMMENTS:		
Do work experience coordinators and/or placement personnel take steps to assure equal employment opportunties for both sexes?	___	___
COMMENTS:		
Are there district resources/materials available for you to meet the intent of House Bill 413/RCW 28A.85? (WAC 392-190-010)	___	___
COMMENTS:		

_____
REVIEW TEAM MEMBER

_____ ELEMENTARY
_____ JUNIOR HIGH
_____ SENIOR HIGH

_____
TITLE

_____
DISTRICT

PHYSICAL EDUCATION, ATHLETICS, EXTRACURRICULAR ACTIVITIES

Guiding Statement: *Physical education is part of the basic education program and should provide all students with positive attitudes and development of their physical capabilities. Athletics provides students with the opportunity to develop skills and interests beyond the basic instructional program in physical education. The provision of different required or elective curricular or activities for male and female students may limit opportunities for exploring the full range of physical education and athletic activities and programs.*

INDICATORS:	YES	NO
Does the district maintain any single sex classes in physical education?	___	___

COMMENTS:

If so, please describe classes including course title(s).

What statistical data has the district used to justify single sex classes?

COMMENTS:

Are there physical education classes with more than 80% of one sex enrolled?	___	___

COMMENTS:

Please describe classes including course title(s).

Has the district made an effort to inform students of their various options in physical education? (How?)	___	___

COMMENTS:

_____ ELEMENTARY
_____ JUNIOR HIGH
_____ SENIOR HIGH

_____
TITLE

_____
DISTRICT

PHYSICAL EDUCATION, ATHLETICS, EXTRACURRICULAR ACTIVITIES

INDICATORS:	YES	NO
Did your district/school administer the student interest survey in 1976? Date of survey:_____	___	___
COMMENTS:		
Do you plan to administer the student interest survey during the 1979-1980 school year?	___	___
COMMENTS:		
Have you used student interest survey data to help plan physical education programs?	___	___
COMMENTS:		

*See discussion guidelines for questions.

Does the district have/maintain a coaching salary scale?	___	___
COMMENTS:		
Are coaching services available for all sports offered?	___	___
COMMENTS:		
Are coaches aware of their responsibilities/liabilities as instructional personnel?	___	___
COMMENTS:		
Has the physical education staff received in-service in sex equity?	___	___
COMMENTS:		
What type of in-service has been provided?		
COMMENTS:		

_____ ELEMENTARY
_____ JUNIOR HIGH
_____ SENIOR HIGH

_____
TITLE

_____
DISTRICT

PHYSICAL EDUCATION, ATHLETICS, EXTRACURRICULAR ACTIVITIES

INDICATORS:	YES	NO
Has this had an impact on those classes with more than 80% of one sex enrolled?	___	___

COMMENTS:

Does the district maintain any single athletic/physical education teams or sections?	___	___

COMMENTS:

If so, please describe.

What were the determining factors that precipitated separation of sexes?

COMMENTS:

Please list "boys" sports by season:

FALL	_____	_____
	_____	_____
	_____	_____
	_____	_____
WINTER	_____	_____
	_____	_____
	_____	_____
	_____	_____
SPRING	_____	_____
	_____	_____
	_____	_____
	_____	_____

_____ ELEMENTARY
_____ JUNIOR HIGH
_____ SENIOR HIGH

_____
TITLE

_____
DISTRICT

PHYSICAL EDUCATION, ATHLETICS, EXTRACURRICULAR ACTIVITIES

INDICATORS:

Please list "boys" sports by season:

SPRING _____ _____

_____ _____

_____ _____

_____ _____

Please list "girls" sports by season:

FALL _____ _____

_____ _____

_____ _____

_____ _____

WINTER _____ _____

_____ _____

_____ _____

_____ _____

SPRING _____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

COMMENTS:

___ ELEMENTARY
___ JUNIOR HIGH
___ SENIOR HIGH

_____
TITLE

_____
DISTRICT

INSTRUCTIONAL MATERIALS, TEXTBOOKS, INSTRUCTIONAL PRACTICES

INDICATORS:	YES	NO
Is there a clearly defined process of reviewing/evaluating instructional materials for sex bias?	___	___
COMMENTS:		
Is there a clear chain of responsibility for this review, from building to Board?	___	___
COMMENTS:		
Are there specific criteria established for judging sex bias in materials? In collections of materials?	___	___
COMMENTS:		
Is there in-service provided to staff who will be reviewing materials, to familiarize them with district criteria for judging sex bias/ equity?	___	___
COMMENTS:		
Is there documentation to show expertise in elimination of sex bias on the part of members of the district instructional materials selection committee?	___	___
COMMENTS:		
Has this committee conducted activities (or sponsored activities) to spread awareness of sex bias among selectors of materials -- teachers? learning resource staff? principals?	___	___
COMMENTS:		

INSTRUCTIONAL MATERIALS
-continued-

INDICATORS:	YES	NO
Have strengths and weaknesses in instructional practices regarding sex equity been observed by district administration? by principals? by teachers? by learning resources specialists?	___	___
COMMENTS:		
Have steps been taken to reinforce strengths? to correct weaknesses?	___	___
COMMENTS:		
Is there documentation that all textbooks purchased since 1976 have been reviewed for sex bias?	___	___
COMMENTS:		
Have needs been documented in the areas of bias-free instructional materials and practices in this district?	___	___
COMMENTS:		
Are there minutes of meetings, action plans, etc., to document plans to address these needs?	___	___
COMMENTS:		
Have materials in this district been challenged on the grounds of sex bias?	___	___
COMMENTS:		
If so, were these challenges resolved to the satisfaction of the challenger?	___	___
COMMENTS:		

_____
REVIEW TEAM MEMBER

____ ELEMENTARY
____ JUNIOR HIGH
____ SENIOR HIGH

_____
DISTRICT

_____
TITLE

VOCATIONAL EDUCATION

INDICATORS:	YES	NO
Has the program been analyzed for disproportionally high numbers of male or female students in any classes?	___	___
COMMENTS: (see class enrollments)		
Have steps been taken to correct any enrollment imbalances?	___	___
COMMENTS:		
Do all program and curriculum guidelines clearly state that all courses are provided and under the same conditions for males and females?	___	___
COMMENTS: (review curriculum guidelines)		
Does the student handbook clearly state that all vocational and related courses are open to students of both sexes?	___	___
COMMENTS:		
Are efforts being made to recruit female students in programs that are considered traditionally male fields?	___	___
....male students in traditionally female fields?	___	___
COMMENTS:		
Are efforts being made to ensure employability of female and male students, after completion?	___	___
COMMENTS:		
Are course requirements in all vocational, technical, industrial, business, distributive-cooperative educational and hmone and family courses the same for males and females?	___	___
COMMENTS:		

VOCATIONAL EDUCATION
-continued-

DISTRICT _____

INDICATORS:	YES	NO
Are instructors of both sexes equally visible in the program?	___	___
COMMENTS:		
Are instructors being hired in fields considered non-traditional for their sex?	___	___
COMMENTS:		
Do photographs and information in brochures show both sexes involved in the program?	___	___
COMMENTS:		
Do instructors make students aware of the wide reaching influences of sex stereotyping and ways of combating its negative effects?	___	___
COMMENTS:		
Do work experience coordinators and/or placement personnel take care to assure equal employment opportunities for both sexes?	___	___
COMMENTS:		
Are there district resources/materials to assure on-going compliance with the intent of the State anti-sex discrimination law?	___	___
COMMENTS:		

_____
Review Team Member

DISTRICT

VOCATIONAL EDUCATION PROGRAMS
CLASS ENROLLMENT COUNT

YEAR

GRADE	NAME OF CLASS	FEMALE	MALE
	AGRICULTURE (LIST SPECIFIC COURSES)		
	AUTOMOTIVE		
	BUSINESS AND OFFICE		
	DISTRIBUTIVE EDUCATION		
	HOME AND FAMILY LIFE		
	METALS		
	INDUSTRIAL ARTS		
	OTHER (PLEASE LIST)		

____ ELEMENTARY
____ JUNIOR HIGH
____ SENIOR HIGH

_____
DISTRICT

EMPLOYMENT

_____
TITLE

INDICATORS:

	YES	NO
Have you analyzed the job classification and utilization of males and females in the district?	___	___
COMMENTS: (review district utilization)		
Have changes occured in staffing due to the local district's affirmative action program?	___	___
COMMENTS: (discuss the changes)		
Has the local affirmative action plan been updated?	___	___
COMMENTS: (date of latest plan)		
Does the School Board of Directors play an active part in district employment policies and procedures?	___	___
COMMENTS:		
Has the school district taken positive steps to identify and encourage women toward administrative positions?	___	___
COMMENTS:		
Does the district have an equitable and systematic hiring procedure?	___	___
COMMENTS: (copy of hiring procedures)		
Does the district have an equitable and expedient grievance procedure for employees?	___	___
COMMENTS:		
Have there been any sex discrimination complaints from any employee in the district?	___	___
COMMENTS:		

EMPLOYMENT
-continued-

DISTRICT

INDICATORS:	YES	NO
Does the district have resources/materials for assuring compliance with our state anti-sex discrimination law?	___	___

COMMENTS:

TECHNICAL ASSISTANCE REQUESTED:

REVIEW TEAM MEMBER

Review Team Member:

Thank you very much for your assistance today. This program review could not have been possible without your help. Your expertise in reviewing the five program areas have been invaluable. The Equity Education staff thanks you for your support and assistance.

Please provide us with you personal/professional feedback of this review:

Availability of your technical assistance in program area:

Resources/materials that you can share in providing bias-free education:

ON-SITE SURVEY

____ Staff

____ Student

____ Counselor

_____ Female

_____ Male

_____
District

_____ _____ _____
Elem JH SH

Suggested introduction: "Hello, I am from the State Office of the Superintendent of Public Instruction reviewing programs for sex equity. Would you please respond to four short questions?" "Thank you."

* *

1. If you had any questions or concerns about sex bias or sex discrimination, who would you go to about your concerns?

   NAME: _____

2. Do you know the name of your district Title IX Officer?

   _____ YES _____ NO

   If yes, please name: _____

3. Have you been in any class in this school that taught a lesson or unit in sex bias awareness?

   _____ YES _____ NO

4. Are you presently in any class that has mostly boys or mostly girls enrolled? (80% of one sex)

   _____ YES _____ NO

   If yes, _____
   Name of class/es

COMMENTS:

_____
Review Team Member

DISTRICT ACTION PLAN FOR CHAPTER 28A.85 RCW PROVISIONS

_____
DISTRICT

_____
DISTRICT 28A.85 COORDINATOR

_____
DATE

RECOMMENDATIONS	COURSE OF ACTION	TARGET DATE	PERSON RESPONSIBLE	ESTIMATED BUDGET

SUPPLEMENTARY INFORMATION

SUBSTITUTE HOUSE BILL NO. 413

State of Washington
44th Legislature
1st Extraordinary Session

by Committee on Education (Originally sponsored by Representatives Wojahn, O'Brien, Pardini, Sommers, Fortson, Valle, Brown, Haley, Lysen, Bagnariol and Maxie)

Read first time February 28, 1975, and passed to second reading.

AN ACT Relating to education: creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to Title 28A RCW as a new chapter thereof; and providing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. Inequality in the educational opportunities afforded women and girls at all levels of the public schools in Washington state is a breach of Article XXXI, Section 1, Amendment 61, of the Washington state Constitution, requiring equal treatment of all citizens regardless of sex. This violation of rights has had a deleterious effect on the individuals affected and on society. Recognizing the benefit to our state and nation of equal educational opportunities for all students, discrimination on the basis of sex for any student in grades K-12 of the Washington public schools is prohibited.

NEW SECTION. Section 2. The superintendent of public instruction shall develop regulations and guidelines to eliminate sex discrimination as it applies to public school employment, counseling and guidance services to students, recreational and athletic activities for students, access to course offerings, and in textbooks and instructional materials used by students.

(1) Specifically with respect to public school employment, all schools shall be required to:

(a) Maintain credential requirements for all personnel without regard to sex;

(b) Make no differentiation in pay scale on the basis of sex;

(c) Assign school duties without regard to sex except where such assignment would involve duty in areas or situations, such as but not limited to a shower room, where persons might be disrobed.

(d) Provide the same opportunities for advancement to males and females; and

(e) Make no difference in conditions of employment including, but not limited to, hiring practices, leaves of absence, hours of employment, and assignment of, or pay for, instructional and noninstructional duties, on the basis of sex.

(2) Specifically with respect to counseling and guidance services for students, they shall be made available to all students equally. All certificated personnel shall be required to stress access to all career and vocational opportunities to students without regard to sex.

(3) Specifically with respect to recreational and athletic activities, they shall be offered to all students without regard to sex. Schools may provide separate teams for each sex. Schools which provide the following shall do so with no disparities based on sex: Equipment and supplies; medical care; services and insurance; transportation and per diem allowances; opportunities to receive coaching and instruction; laundry services; assignment of game officials; opportunities for competition,

publicity and awards; scheduling of games and practice times including use of courts, gyms, and pools; PROVIDED, That such scheduling of games and practice times shall be determined by local administrative authorities after consideration of the public and student interest in attending and participating in various recreational and athletic activities. Each school which provides showers, toilets, or training room facilities for athletic purposes shall provide comparable facilities for both sexes. Such facilities may be provided either as separate facilities or shall be scheduled and used separately by each sex.

The superintendent of public instruction shall also be required to develop a student survey to distribute every three years to each local school district in the state to determine student interest for male/female participation in specific sports.

(4) Specifically with respect to course offerings, all classes shall be required to be available to all students without regard to sex: PROVIDED, That separation is permitted within any class during sessions on sex education or gym classes.

(5) Specifically with respect to textbooks and instructional materials, which shall also include, but not be limited to, reference books and audio-visual materials, they shall be required to adhere to the guidelines developed by the superintendent of public instruction to implement the intent of this chapter: PROVIDED, That this subsection shall not be construed to prohibit the introduction of material deemed appropriate by the instructor for educational purposes.

NEW SECTION. Section 3. The office of the superintendent of public instruction shall be required to monitor the compliance by local school districts with this chapter, shall establish a compliance timetable and regulations for enforcement of this chapter, and shall establish guidelines for affirmative action programs to be adopted by all school districts.

NEW SECTION. Section 4. Any person aggrieved by a violation of this chapter, or aggrieved by the violation of any regulation or guideline adopted hereunder, shall have a right of action in superior court for civil damages and such equitable relief as the court shall determine.

NEW SECTION. Section 5. The superintendent of public instruction shall have the power to enforce and obtain compliance with the provisions of this chapter and the regulations and guidelines adopted pursuant thereto by appropriate order made pursuant to chapter 34.04 RCW, which order, by way of illustration, may include, the termination of all or part of state apportionment or categorical moneys to the offending school district, the termination of specified programs in which violations may be flagrant within the offending school district, the institution of a mandatory affirmative action program within the offending school district, and the placement of the offending school district on probation with appropriate sanctions until compliance is achieved.

NEW SECTION. Section 6. This chapter shall be supplementary to, and shall not supersede, existing law and procedures and future amendments thereto relating to unlawful discrimination based on sex.

NEW SECTION. Section 7. Sections 1 through 6 of this act are added to chapter 223, Laws of 1969 ex. sess. and to Title 28A RCW as a new chapter thereof.

NEW SECTION. Section 8. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Chapter 392-190

EQUAL EDUC. OPPOR.--SEX DISCRIMINATION PROHIBITED - CH 392-190

WAC

392-190-005	Purpose--Elimination of sex discrimination.
392-190-010	Counseling and guidance services--Career opportunities--Internal procedures.
392-190-015	Counseling and guidance--Duty of certificated and classroom personnel--Coordination of effort.
392-190-020	Inservice training--Sex bias awareness.
392-190-025	Recreational and athletic activities--Equal opportunity--Separate teams.
392-190-030	General--Recreational and athletic activities--Equal opportunity factors considered.
392-190-035	Recreational and athletic activities--Compliance timetable--Elementary and secondary level.
392-190-040	Recreational and athletic activities--Student interest--required survey instrument.
392-190-045	Recreational and athletic activities--Facilities.
392-190-050	Course offerings--Generally--Separate sessions or groups permissible.
392-190-055	Textbooks and instructional materials--Scope--Elimination of sex bias--Compliance timetable.
392-190-060	Compliance--Local school district--Designation of responsible employee--Notification.
392-190-065	Compliance--Complaint procedure--District superintendent.
392-190-070	Compliance--Appeal procedure--Local school board.
392-190-075	Compliance--Contested case--Duty of the Superintendent of Public Instruction.
392-190-080	Compliance--Violations--Permissible sanctions.

WAC 392-190-005 PURPOSE--ELIMINATION OF SEX DISCRIMINATION. The purpose of this chapter is to establish rules and regulations which implement chapter 28A.85 RCW. The referenced enactment prohibits discrimination on the basis of sex in regulations implementing Title IX of the Education Amendments assisted education programs or activities. As a result, several substantive areas have been similarly identified and addressed by both state and federal enactments.

It is the intent of this chapter to encompass those similar substantive areas addressed by the Title IX regulations and in some aspects extend beyond the Title IX regulations. Accordingly, compliance with this chapter should constitute compliance with those similar substantive areas treated in the Title IX regulations, but school districts should be aware that compliance with the Title IX regulations alone may not constitute compliance with this chapter.

Although chapter 28A.85 RCW and the balance of this chapter prohibit sex discrimination in grades K-12 only, the Superintendent of Public Instruction hereby declares pursuant to the authority vested in the Superintendent by Article 3, section 22 of the State Constitution that it shall be unlawful for any public school district to discriminate on the basis of sex with regard to any activity conducted by or in behalf of a school district including, but not limited to, preschool, adult education, community education and vocational-technical program activities.

WAC 392-190-010 COUNSELING AND GUIDANCE SERVICES--CAREER OPPORTUNITIES--INTERNAL PROCEDURES. (1) No school district shall engage in discrimination against any person on the bases of sex in the counseling or guidance of students in grades K-12.

(2) Each school district shall devise and use materials, orientation programs and counseling techniques that will encourage participation in all school programs and courses of study based on factors other than sex and that encourage students to explore subjects and activities not heretofore traditional for their sex.

(3) Each school district which uses testing and other materials for appraising or counseling students shall not use different materials for students on the basis of their sex or use materials which permit or require different treatment of students on such basis unless (a) such different materials cover the same occupations and interest areas and (b) the use of such different materials is demonstrated to be essential to eliminate sex bias.

(4) Each school district shall develop and use internal procedures for ensuring that all tests and appraisal instruments, career and vocational guidance materials, work/study programs and opportunities, and educational scheduling and/or placement do not discriminate on the basis of sex: PROVIDED, That where the use of such instruments or materials or such programs or activities results in a substantially disproportionate number of members of one sex in any particular course of study or classification, the school district shall take such immediate action as is necessary to assure itself that such disproportion is not the result of discrimination in the program or activity or in the instrument or material or its application:

PROVIDED FURTHER, That where a school district finds that a particular class contains a substantially disproportionate number of individuals of one sex, the district shall take such immediate action as is necessary to assure itself that such disproportion is not the result of discrimination on the basis of sex in tests and appraisal instruments, career and vocational guidance materials, work/study programs and opportunities, and educational scheduling and/or placement or by counselors.

(5) Each school district shall comply fully with the requirements of this section no later than July 1, 1976.

WAC 392-190-015 COUNSELING AND GUIDANCE--DUTY OF CERTIFICATED AND CLASSROOM PERSONNEL--COORDINATION OF EFFORT. (1) All certificated and classroom personnel shall encourage students to explore and develop their individual interests in career and vocational technical programs and employment opportunities without regard to sex, including reasonable efforts encouraging students to consider and explore "non-traditional occupations for men and women: PROVIDED, That all certificated and classroom personnel within each local school district shall have access to an Educational Staff Associate (ESA) certificated school counselor(s) or such other appropriate person(s), designated by the school district superintendent to coordinate compliance with the requirements of this section.

(2) All certificated and classroom personnel shall comply fully and immediately with the requirements of this section. The superintendent of each school district shall make the designation(s) required by this section immediately.

WAC 392-190-020 INSERVICE TRAINING--SEX BIAS AWARENESS. Each school district should include sex bias awareness and sex bias elimination training sessions in such inservice training programs as are conducted or provided for certificated and/or classroom personnel.

WAC 392-190-025 RECREATIONAL AND ATHLETIC ACTIVITIES--EQUAL OPPORTUNITY--SEPARATE TEAMS. (1) No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, club or intramural athletics or recreational activity offered by a school district and no school district shall provide any such athletics or recreational activity separately on such basis. Sports teams and programs offered by a school district shall, regardless of their nature, be equally open to participation by qualified members of both sexes: PROVIDED, That in the case of sports and recreational activities offered for students in grades 7 through 12, a school district may maintain separate teams for members of each sex if (a) it can clearly be shown,

under the factual circumstances involved in the particular case, that the maintenance of separate teams for boys and girls truly constitutes the best method of providing both sexes, as a whole, with an equal opportunity to participate in the sports or games of their choice and (b) at the same time, a test of substantial equality between the two programs can be found to have been met.

(2) For the purpose of this section and WAC 392-190-050(2) "substantial equality" shall be determined by considering factors including but not limited to the following:

(a) the relationship between the skill and compensation of coaching staffs:

(b) the size of their budgets;

(c) the quality of competition and game schedules;

(d) uniforms;

(e) equipment and facilities; and

(f) sufficient numbers of participants to warrant separate teams.

WAC 392-190-030 GENERAL--RECREATIONAL AND ATHLETIC ACTIVITIES--EQUAL OPPORTUNITY FACTORS CONSIDERED. Each school district shall evaluate its recreational and athletic program at least once each year to ensure that equal opportunities are available to members of both sexes with respect to interscholastic, club or intramural athletics which are operated, sponsored, or otherwise provided by the school district.

In determining whether equal opportunities are available to members of both sexes with respect to interscholastic, club or intramural athletics, each school district conducting an evaluation required by this section, and the office of Superintendent of Public Instruction upon receipt of a complaint pursuant to WAC 392-190-075, shall consider several factors, including but not limited to the following where provided by a school district:

(1) whether the selection of sports and levels of competition effectively accommodates the interests and abilities of members of both sexes;

(2) the provision of equipment and supplies;

(3) the scheduling of games and practice times including the use of playfields, courts, gyms, and pools;

(4) transportation and per diem allowances, if any;

(5) the opportunity to receive coaching and academic tutoring;

(6) the assignment and compensation of coaches, tutors, and game officials;

(7) the provision of medical and training facilities and services including the availability of insurance;

(8) the provision of housing, laundry, and dining facilities and services, if any; and

(9) publicity and awards.

Unequal aggregate expenditures within a school district for members of each sex or unequal expenditures for separate male and female teams will not alone constitute noncompliance with this chapter, but the failure to provide the necessary funds for recreational and athletic activities for members of one sex may be considered in assessing the equality

of opportunity for members of each sex.

WAC 392-190-035 RECREATIONAL AND ATHLETIC ACTIVITIES--COMPLIANCE TIMETABLE--ELEMENTARY AND SECONDARY LEVEL. (1) Each school district which operates, sponsors, or otherwise provides interscholastic, club or intramural athletics at the elementary school level (K-6) shall provide equal opportunity and encouragement for physical and skill development to all students in the elementary grades consistent with this chapter as expeditiously as possible but in no event later than July 21, 1976.

(2) Each school district which operates, sponsors, or otherwise provides interscholastic, club or intramural athletics at the secondary school level (7-12) shall provide equal opportunity and encouragement for physical and skill development to all students in the secondary grades consistent with this chapter as expeditiously as possible but in no event later than July 21, 1978.

WAC 392-190-040 RECREATIONAL AND ATHLETIC ACTIVITIES--STUDENT INTEREST--REQUIRED SURVEY INSTRUMENT. (1) The Superintendent of Public Instruction shall develop a survey instrument to assist each school district in the determination of student interest for male/female participation in specific sports.

(2) A survey instrument shall be administered by each school district at all grade levels where interscholastic, intramural and other sports and recreational activities are conducted as expeditiously as possible, but in no event later than the 1975-76 school year. The results of the survey shall be considered in the program planning and development in the area of recreational and athletic activities offered within the school district.

(3) A survey instrument developed pursuant to this section shall be administered during the 1975-76 and 1976-77 school years and at least once every three years thereafter within each school district. PROVIDED, That the content of the survey instrument may be modified or amended as deemed appropriate to clarify and assist in the evaluation of student interest.

WAC 392-190-045 RECREATIONAL AND ATHLETIC ACTIVITIES--FACILITIES. A school district which provides athletic facilities for members of one sex including showers, toilets, and training room facilities for athletic purposes shall provide comparable facilities for members of the opposite sex no later than July 1, 1976: PROVIDED, That such facilities may be provided as either separate facilities or shall be scheduled and used separately by members of each sex: PROVIDED FURTHER, That this section shall not be interpreted to require the construction of additional facilities.

WAC 392-190-050 COURSE OFFERINGS--GENERALLY--SEPARATE SESSIONS OR GROUPS PERMISSIBLE. No school district shall provide any course or otherwise carry out any of its education programs or activities separately on the basis of sex, or require or refuse participation therein by any of its students on such basis, including but not limited to health, physical education, industrial arts, business, vocational-technical, and home economics courses: PROVIDED, That this section shall not be construed to prohibit:

(1) the grouping of students in physical education classes and activities by demonstrated ability as assessed by objective standards of individual performance developed and applied without regard to sex: PROVIDED, That where use of a single standard of measuring skill or progress in a physical education class has an adverse effect on members of one sex, the school district shall immediately implement appropriate standards which do not have such effect;

(2) the separation of students by sex within physical education classes or activities offered for students in grades 7 through 12 if (a) it can clearly be shown under the factual circumstances involved in the particular case, that the maintenance of a separate physical education class or activity for boys and girls truly constitutes the best method of providing both sexes, as a whole, with an equal opportunity to participate in such class or activity and (b) at the same time a test of substantial equality between the two classes or activities can be found to have been met;

(3) the conduct of separate sessions for boys and girls with respect to those portions of classes which deal exclusively with human sexuality; and

(4) the conduct of classes and/or activities within which a school district may establish or maintain requirements based on vocal range or quality which may result in a chorus or choruses of one or predominantly one sex.

Each school district that provides physical education classes and activities at the elementary school level (K-6) shall comply fully with this section as expeditiously as possible but in no event later than July 21, 1976. Each school district that provides physical education classes and activities at the secondary school level (7-12) shall comply fully with this section as expeditiously as possible but in no event later than July 21, 1978.

WAC 392-190-055 TEXTBOOKS AND INSTRUCTIONAL MATERIALS--SCOPE--ELIMINATION OF SEX BIAS--COMPLIANCE TIMETABLE. (1) It is the intent of this section to eliminate sex bias in connection with any form of instruction provided by a school district.

(2) The instructional materials policy of each school district required by RCW 28A.58.103 shall incorporate therein, as part of the selection criteria, a specific statement requiring the elimination of sex bias in all textbooks and instructional materials including reference materials and audio-visual materials.

(3) The instructional materials committee of each school district shall establish and maintain appropriate screening criteria designed to identify and eliminate sex bias in all textbooks and instructional

materials including reference materials and audio-visual materials: PROVIDED, That such selection criteria shall be consistent with the selection criteria endorsed by the state board of education dated December 6, 1974, WAC 180-48-010, as now or hereafter amended, and WAC 180-46-005 through WAC 180-46-060, as now or hereafter amended. One of the aids to identification of sex bias in instructional materials consists of the Washington Models for the Evaluation of Bias Content in Instructional Materials published by the Superintendent of Public Instruction.

(4) In recognition of the fact that current instructional materials which contain sex bias may not be replaced immediately, each school district should acquire supplemental instructional materials or aids to be used concurrent with existing materials for the purpose of countering the sex bias content thereof.

(5) Each school district shall comply fully with this section with respect to all textbooks and instructional materials including reference materials and audio-visual materials ordered after July 1, 1976. The screening criteria required by this section shall be adopted with the approval of the school district board of directors no later than July 1, 1976.

(6) Nothing in this section is intended to prohibit the use or assignment of supplemental instructional materials such as classic and concontemporary literary works, periodicals and technical journals which, although they contain sex bias, are educationally necessary or advisable.

WAC 392-190-060 COMPLIANCE--LOCAL SCHOOL DISTRICT--DESIGNATION OF RESPONSIBLE EMPLOYEE--NOTIFICATION. (1) The superintendent of each school district shall immediately designate at least one employee who shall be responsible directly to the superintendent for monitoring and coordinating the district's compliance with this chapter. The employee designated pursuant to this section shall also be charged with the responsibility to investigate any complaint(s) communicated to the school district pursuant to WAC 392-190-065.

(2) Each school district shall, once each year or more often as deemed necessary, publish notice in a manner which is reasonably calculated to inform all students, students' parents, and employees of the name, office address and telephone number of the employee or employees appointed pursuant to this section and the appeal procedure set forth in WAC 392-190-065, WAC 392-190-070 and WAC 392-190-075 as now or hereafter amended.

WAC 392-190-065 COMPLIANCE--COMPLAINT PROCEDURE--DISTRICT SUPERINTENDENT. (1) Upon receipt of a complaint by a school district in the manner herein described, the employee or employees designated pursuant to WAC 392-190-060 shall investigate the allegations set forth and shall institute such other reasonable procedures to effect a prompt resolution of the complaint: PROVIDED, That each complaint communicated to the school district shall be (a) written, (b) signed by the

complaining party, and (c) set forth specific acts, conditions, or circumstances alleged to be violative of this chapter or the specific acts, conditions, or circumstances that would be prohibited by this chapter.

(2) Upon completion of the investigation required by this section in connection with a complaint communicated to the school district, the designated employee or employees shall provide the district superintendent with a full written report of the complaint and the results of the investigation. The district superintendent shall respond in writing to the complaining party as expeditiously as possible but in no event later than thirty (30) calendar days following receipt of such complaint by the school district.

(3) The response of the school district superintendent required by this section shall clearly state either (a) that the school district denies the allegations contained in the complaint received pursuant to this section, or (b) the nature of such reasonable corrective measures deemed necessary to eliminate any such act, condition, or circumstance within the school district: PROVIDED, That any such corrective measures deemed necessary shall be instituted as expeditiously as possible but in no event later than thirty (30) calender days following the school district superintendent's mailing of a written response to the complaining party required by this section.

(4) The complaint procedure required by this section shall not prohibit the processing of grievances by an employee bargaining representative and/or a member of a bargaining unit pursuant to grievance procedures established at the school district level by local bargaining agreement.

WAC 392-190-070 COMPLIANCE--APPEAL PROCEDURE--LOCAL SCHOOL BOARD. (1) In the event a complainant remains aggrieved as a result of the action or inaction of the superintendet in resolving a complaint as provided in WAC 392-190-065, said complainant may appeal to the school district board of directors by filing a written notice of appeal with the secretary of the school board on or before the tenth day following (a) the date upon which the complainant received the superintendent's response or (b) the expiration of the thirty (30) day response period provided by WAC 392-190-065, whichever occurs first.

(2) An appeal to the board of directors pursuant to this section shall require the board of directors to schedule a hearing to commence on or before the twentieth day following the filing of the written notice of appeal. Both parties shall be allowed to present such witnesses and testimony as the board deems relevant and material. The board of directors shall render a written decision on or before the tenth day following the termination of the hearing, and shall provide a copy to all parties involved.

WAC 392-190-075 COMPLIANCE--CONTESTED CASE--DUTY OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION. (1) In the event a complainant remains aggrieved with the decision of a school district board of directors

rendered pursuant to WAC 392-190-070, the complainant may appeal the board's decision to the Superintendent of Public Instruction. Upon the receipt of a notice of appeal filed in compliance with this section, the Superintendent of Public Instruction shall schedule a hearing to commence on or before the fortieth day thereafter.

(2) A notice of appeal must be received by the Superintendent on or before the tenth day following the date upon which the complainant received written notice of the school board's decision. Furthermore, the notice must be in writing and must set forth (a) a concise statement of the portion or portions of the school board's decision which is appealed from, and (b) the relief requested by the complainant/appellant.

(3) Appeals to the Superintendent shall be conducted dehovo pursuant to the state administrative procedure act (chapter 34.04 RCW). The complainant/appellant shall have the responsibility for prosecuting his or her case and the school district/respondent shall have the duty of defending the decision or portion thereof appealed from.

WAC 392-190-080 COMPLIANCE--VIOLATIONS--PERMISSIBLE SANCTIONS. In the event a school district is found to be in violation of the requirements of this chapter, the Superintendent of Public Instruction may, by appropriate order pursuant to chapter 34.04 RCW, impose an appropriate sanction or institute appropriate corrective measures, including but not limited to (a) the termination of all or part of state apportionment or categorical moneys to the offending school district, (b) the termination of specified programs wherein such violation or violations are found to be flagrant in nature, (c) the institution of a mandatory affirmative action program within the offending school district, and (d) the placement of the offending school district on probation with appropriate sanctions until such time as compliance is achieved or is assured, whichever is deemed appropriate in the particular case by the Superintendnet of Public Instruction.

Chapter 392-200

PUB. SCH. EMPLOYMENT DISCRIMINATION PROHIBITED - CH. 392-200

WAC

392-200-005	Purpose--Authority.
392-200-010	Public school employment and contract practices--Sex discrimination.
392-200-015	Public school employment--Affirmative action program.
392-200-020	Public school employment--Affirmative action program--General.

PUB. SCH. EMPLOYMENT DISCRIMINATION PROHIBITED - CH. 392-200

WAC 392-200-005 PURPOSE--AUTHORITY. It is the purpose of this chapter to require each public school district to establish and implement affirmative action employment policies and programs to eliminate discrimination on the basis of sex, race, creed, color, national origin, marital status, age, or the presence of any sensory, mental, or physical handicap. The authority for the rules contained herein is founded upon chapter 28A.85 RCW and Article 3, section 22 of the Washington State Constitution.

WAC 392-200-010 PUBLIC SCHOOL EMPLOYMENT AND CONTRACT PRACTICES--SEX DISCRIMINATION. (1) No school district shall, on the basis of sex, exclude any person from participation in, deny any person the benefits of, or subject any person to discrimination in employment, recruitment, promotion or advancement, consideration or selection therefor, whether full time or part time, in connection with employment by a school district.

(2) Each school district shall make all employment decisions in a nondiscriminatory manner and shall not limit, segregate, or classify any person in any way which could adversely affect a person's employment opportunities or status on the basis of sex.

(3) No school district shall enter into any contractual or other relationship that directly or indirectly has the effect of subjecting any person to discrimination in connection with employment on the basis of sex, including but not limited to relationships with employment and referral agencies, with labor unions, and with organizations providing or administering fringe benefits to employees.

(4) No school district shall grant preferences to applicants for employment on the basis of attendance at any educational institution or entity which admits as students only or predominantly members of one sex, if the giving of such preferences has the effect of discriminating on the basis of sex.

WAC 392-200-015 PUBLIC SCHOOL EMPLOYMENT--AFFIRMATIVE ACTION PROGRAM. (1) Each school district shall develop and/or incorporate within any existing affirmative action employment program appropriate provisions which are consistent with the intent of chapter 28A.85 RCW and such guidelines as are hereafter developed and distributed to each school district by the office of Superintendent of Public Instruction to eliminate discrimination on the basis of sex, in connection with employment by the school district: PROVIDED, That each school district's affirmative action employment program shall include at least the following provisions respecting discrimination on the basis of sex.

(a) maintain credential requirements for all personnel;

(b) make no differentiation in pay scale;

(c) make no differentiation in the assignment of school duties except where such assignment would involve duty in areas

or situations, such as but not limited to a shower room, where persons might be disrobed;

(d) provide the same opportunities for advancement;

(e) make no difference in conditions of employment including, but not limited to, hiring practices, leaves of absence, hours of employment and assignment of, or pay for, instructional and non-instructional duties; and

(f) such other provisions as may be required by the Superintendent of Public Instruction designed to facilitate the effective achievement of all reasonable affirmative action goals and objectives in public school employment respecting the elimination of discrimination on the basis of sex.

(2) Each affirmative action employment program of a school district shall be filed with the office of the Superintendent of Public Instruction.

(3) The board of directors of each school district shall adopt and implement an approved affirmative action employment program required by this section as expeditously as possible but in no event later than July 1, 1976.

WAC 392-200-020 PUBLIC SCHOOL EMPLOYMENT--AFFIRMATIVE ACTION PROGRAM--GENERAL. (1) Notwithstanding the requirements of this chapter respecting discrimination on the basis of sex, each school district shall develop and/or incorporate within any existing affirmative action employment program appropriate provisions to eliminate discrimination on the basis of race, creed, color, national origin, marital status, age, or the presence of any sensory, mental, or physical handicap.

(2) Each affirmative action employment program of a school district shall be filed with the office of the Superintendent of Public Instruction.

(3) The board of directors of each school district shall adopt and implement an approved affirmative action employment program required by this section as expeditiously as possible but in no event later than July 1, 1976.

State of Washington
STATE BOARD OF EDUCATION
Olympia, Washington

POLICY RELATING TO EQUAL EDUCATIONAL OPPORTUNITY

Adopted by the State Board of Education
May 14, 1976

The State Board of Education is committed to a policy of no sex bias in public education so that each individual is free to develop interests, abilities, and talents without restrictions based upon sex stereotyping.

The State Board of Education adopted the following goals to achieve equal opportunities for all:

Increase awareness of sex bias in schools.

Identification and correction of specific problems or problem areas where sex bias exists or potentially exists. A generalized recognition or vague awareness of problems is not sufficient to meet both the need for voluntary compliance and for positive and active movements toward non-discrimination.

Plan, develop and initiate positive and constructive programs for eliminating sex bias.

Involve and encourage commitment of staff, students and school communities in the challenging task of eliminating sex bias.

Develop district frameworks insuring that policies, procedures and practices related to sex bias are consistent with federal and state statutes.

Involve federal, state and local public and private agencies and organizations in developing a local environment supportive of eliminating discrimination.

To achieve these goals recommended activities include:

Development of professional training programs for educational personnel of local and educational service districts which will increase the educators' awareness of specific sex bias problems in public education and stress the important role of the educator in eliminating sex stereotyping.

Work with institutions of higher education in reviewing pre-service teacher educational programs and, as appropriate, provide experiences which identify and strengthen the role of educational personnel in the development of positive and constructive programs providing equal opportunity for all.

Develop and utilize materials which objectively present the concerns and build upon the contributions, current and historical, of both sexes. It is recognized that under certain conditions biased materials may represent appropriate resources in presenting contrasting and differing points of view. Instructional materials shall provide models which may be used as vehicles for the development of self-respect based on respect for the worth, dignity and personal values of every individual.

SPI **Superintendent of Public Instruction**
DR. FRANK B. BROUILLET · OLD CAPITOL BLDG., OLYMPIA, WASH. 98504

March 30, 1978

(X) Information Only

BULLETIN NO: 4-78 PROFESSIONAL SERVICES AND EQUAL EDUCATIONAL OPPORTUNITIES

TO: School Board Presidents, Chief School District Administrators, District Title IX Coordinators, Public and Private Schools, Educational Service District Superintendents and Title IX Coordinators

FROM: Frank B. Brouillet, State Superintendent of Public Instruction

SUBJECT: COMPLIANCE REQUIREMENTS: TITLE IX, EDUCATION AMENDMENTS OF 1972 AND RCW 28A.85 (CHAPTER 392-190, 392-200 WAC)

School districts and non-public schools receiving federal assistance of any kind must comply with the requirements of Title IX of the Education Amendments of 1972 and all common schools must comply with the requirements of RCW 28A.85 prohibiting sex discrimination in educational programs, services and employment. All districts and schools covered by Title IX and/or RCW 28A.85 should have completed the major compliance requirements no later than July 21, 1976.

The four major requirements specified in the Title IX regulations are: (1) the development and dissemination of a policy statement, (2) the designation of a Title IX coordinator, (3) the adoption of a grievance procedure and (4) the completion of a comprehensive institutional self-evaluation.

WAC 392-190-060 requires the designation of a compliance coordinator and the notification of all students, parents and employees of the name, office address and telephone number of the compliance coordinator, and the appeal procedure set forth in WAC 392-190-065, WAC 392-190-020 and WAC 392-190-075. This notice is to be published at least once a year.

The compliance coordination duties for Title IX and RCW 28A.85 may be assigned to one employee.

If you have not completed the major requirements outlines above, you are not in compliance with the federal and state regulations and may be subject to the termination of federal and/or state funds.

I. Requirements of WAC 392-190, WAC 392-200 (RCW 28A.85)

The requirements of the state regulations prohibiting sex discrimination are similar to the Title IX requirements but differ significantly or extend beyond the federal regulations in several specific areas. Schools which, by definition, are covered by both Title IX and RCW 28A.85 should be aware that compliance with the Title IX regulations alone may not contitute compliance with the state regulations.

It has come to our attention that there is some confusion and misinterpretation concerning the requirements of WAC 392-190 and WAC 392-200. Attached is a summary of the sections of the Washington Administrative Code prohibiting sex discrimination in the common schools which <u>differ from or extend beyond</u> the requirements of the implementing regulations of Title IX.

II. Compliance Procedures and Technical Assistance

The Office of the Superintendent of Public Instruction will be performing on-site monitoring of selected school district programs beginning in May, 1978, and the Office for Civil Rights, DHEW, will be conducting Title IX program reviews periodically in the future.

Technical assistance regarding the implementation of Title IX and RCW 28A.85 is available from the ESD's (see enclosed list) and the Office for Equal Education, SPI. If you have any questions regarding compliance, in-service programs, curriculum materials or other implementation resources, please contact your ESD Coordinator or Beth Voorhees Wilke, Supervisor, Office for Equal Education, (206) 753-2560.

Marion Burton
Director
Equal Education

Beth Voorhees Wilke
Supervisor
Equal Education

Attachments

SPI **Superintendent of Public Instruction**
DR. FRANK B. BROUILLET · OLD CAPITOL BLDG., OLYMPIA, WASH. 98504

September 28, 1979

(X) Information Only

BULLETIN NO. 9-79 GRANTS AND EQUITY PROGRAMS

TO: Chief School District Administrators, School Board Presidents, District Title IX Coordinators, Public and Private Schools, Educational Service District Superintendents, Title IX Coordinators

FROM: Frank B. Brouillet, State Superintendent of Public Instruction

SUBJECT: Monitoring the Implementation of the Provisions of RCW 28A.85: Equal Educational Opportunity - Sex Discrimination Prohibited, Chapter 392-190, 392-200 WAC

All common schools in the State of Washington are required under RCW 28A.85 to prohibit sex discrimination in educational programs, services and employment. House Bill 413 of the laws of the State of Washington passed in June, 1975 explicitly prohibited discrimination on the basis of sex in grades K-12. Chapter 392-190 WAC established rules and regulations to implement RCW 28A.85. In 1976, school districts were required to complete the major compliance requirements of RCW 28A.85.

SPI Bulletin No. 4-78, issued March 30, 1978, outlined the compliance requirements of both RCW 28A.85 (Chapter 392-190, 392-200 WAC) and Title IX of the Education Amendments of 1972. School districts were reminded in this bulletin that compliance with the Title IX regulations alone would not constitute compliance with the state regulations.

In May, 1979, the Washington State Legislature passed House Bill 516 mandating the implementation of the provisions of RCW 28A.85. This legislative action requires the monitoring of the level of implementation directed toward the elimination of sex discrimination. The Superintendent of Public Instruction is required to monitor the compliance by local school districts with this chapter.

Commencing with this school year, the Equity in Education section of the Office of the Superintendent of Public Instruction will initiate monitoring activities to meet the above stated requirements. As an initial step, a Pre-Monitoring Project involving five school districts will be in operation the first half of this year. The five selected school districts will be fairly representative of the state's public schools according to geography, district size, composition and program offerings. These five school districts will serve as the field test for statewide monitoring activities for the remainder of the year.

All school districts will have the opportunity to participate in technical assistance workshops held in cooperation with each educational service district prior to monitoring. The entire process focuses on identifying "what is" in the implementation of RCW 28A.85. Technical assistance will be available throughout the assessment.

If you have any questions regarding compliance, in-service programs, curriculum materials, other implementation resources, or the monitoring efforts this year, please contact your educational service district coordinator or Gene Canque Liddell, Program Administrator, Office for Equity Education; (206) 753-2560.

DIVISION OF GRANTS AND EQUITY PROGRAMS

Mona H. Bailey, Assistant Superintendent

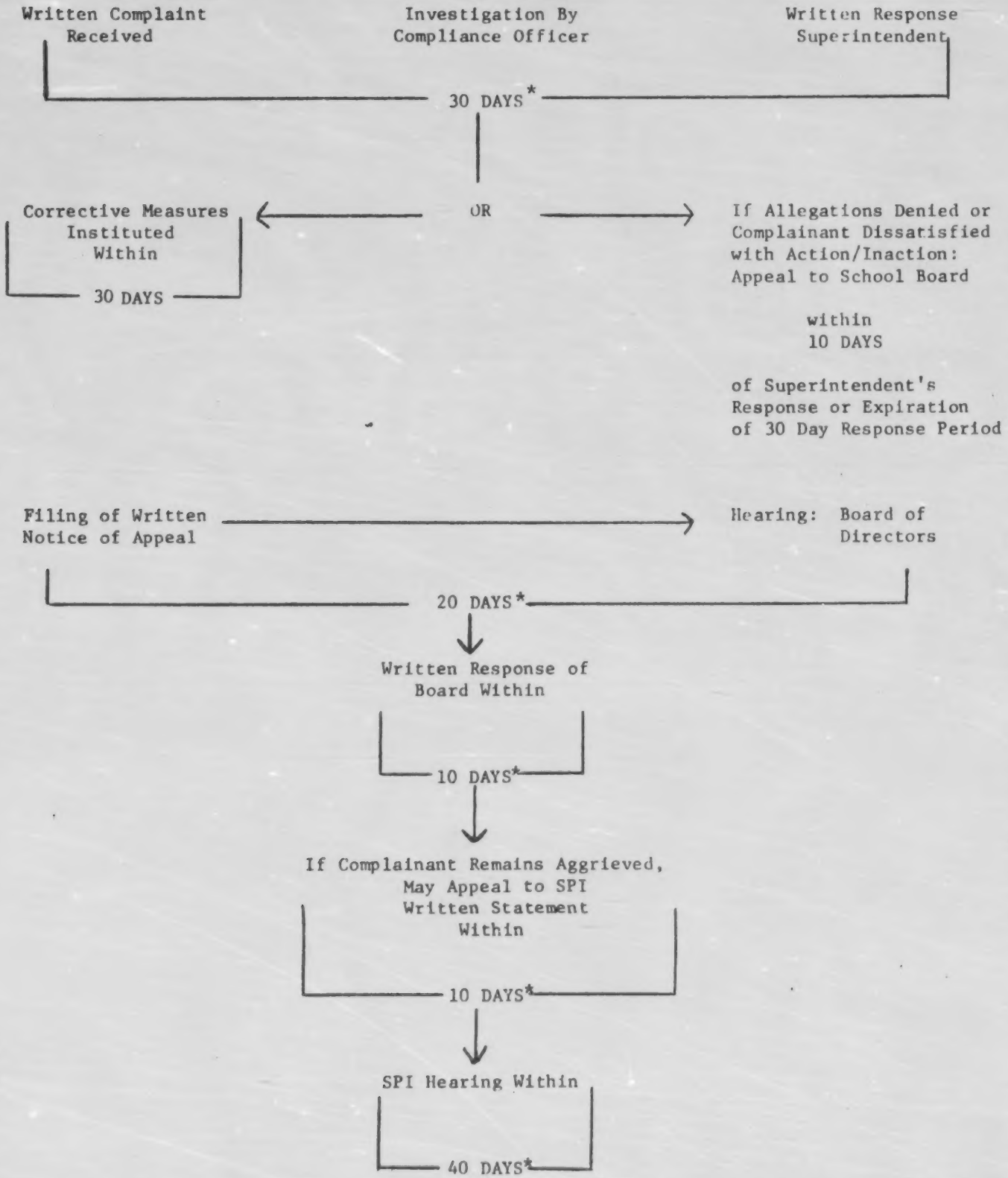
Warren H. Burton, Director
Office for Equity Education

Gene Canque Liddell, Program Administrator
Office for Equity Education

Dr. Gloria M. de Martinez, Program Administrator
Office for Equity Education

MHB:WHB:GCL:GMdM:las

COMPLAINT/APPEAL PROCEDURE-RCW 28A.85


Written Complaint Received
Investigation By Compliance Officer
Written Response Superintendent
30 DAYS*
OR
Corrective Measures Instituted Within
30 DAYS
If Allegations Denied or Complainant Dissatisfied with Action/Inaction: Appeal to School Board
within
10 DAYS
of Superintendent's Response or Expiration of 30 Day Response Period
Filing of Written Notice of Appeal
Hearing: Board of Directors
20 DAYS*
Written Response of Board Within
10 DAYS*
If Complainant Remains Aggrieved, May Appeal to SPI Written Statement Within
10 DAYS*
SPI Hearing Within
40 DAYS*

*Refers to Calendar Days

TITLE IX/RCW 28A.85 COORDINATORS:

EDUCATIONAL SERVICE DISTRICTS

1980

State of Washington
September 1977